

AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance No. 6232 related to Open Space Taxation		Date: April 13, 2009
Department: Planning, Building & Community Development	Attachments: Ordinance No. 6232 and Pierce Co. Public Benefit Rating System Tables	Budget Impact: \$ 0
Administrative Recommendation: City Council introduce and adopt Ordinance No. 6232		
Background Summary: The following key elements related to City Open Space Taxation review processes will be addressed through adoption of Ordinance 6232. <ul style="list-style-type: none"> • Joint Determining Authority (JDA) Appointment of three City Council members and an alternate to the JDA. The JDA holds hearings and acts on the open space taxation applications. • Pierce County Public Benefit Rating System (PBRs). Adoption of the Pierce County PBRs Tables 2.114-1 and 2 which provides weighted criteria to determine value reduction and current use assessment. • Application Fee. Reaffirm the "Miscellaneous Administration Decisions" fee of \$500 as applicable to applications for open space taxation. • Implementation. Establishment of administrative procedures. <p>A briefing was provided to the PCD Committee on March 23, 2009 and to the Finance Committee on April 6, 2009.</p> <p>L0420-1 F4.3</p>		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input checked="" type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Public Works </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Call for Public Hearing ____/____/____ Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____		
Councilmember: Norman		Staff: Baker
Meeting Date: April 20, 2009		Item Number: VIII.A.3

ORDINANCE NO. 6232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON RELATED TO THE CURRENT USE ASSESSMENT TAX PROGRAM, ADOPTING CRITERIA FOR 2009 APPLICATIONS, APPOINTING MEMBERS TO THE JOINT DETERMINING AUTHORITY, AND ASSESSING AN APPLICATION FEE

WHEREAS, Chapter 84.34 of the Revised Code of Washington ("RCW") provides for certain properties within the City to be assessed based on the current use of that property instead of at the highest and best use of the property in order to preserve open space and other public benefits; and

WHEREAS, when property is located within a city, the application must be approved by a Joint Determining Authority (JDA) consisting of three County Council members and three City Council members; and

WHEREAS, RCW 84.34.030 allows the City to charge a reasonable processing fee for evaluation of these applications;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Current Use Assessment Program Criteria. For purposes of evaluating Current Use Assessment applications for properties located both within the City of Auburn and within Pierce County that are to be decided in 2009, the City Council adopts Pierce County's Public Benefits Rating System criteria as set forth in Chapter 2.114 of the Pierce County Code.

Section 2. Appointment of Members. The chairs of Finance, Public Works and Planning & Community Development Committees are hereby appointed to the Joint Determining Authority (JDA) until December 31, 2009. The chair of the Municipal Services Committee is hereby appointed as an alternate to the JDA.

Section 3. Processing Fee. Applicants shall pay the Miscellaneous Administrative Planning fee in effect when the application is received by the City.

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

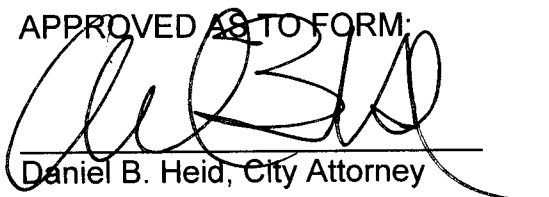
APPROVED: _____

PETER B. LEWIS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____

Appendix "A"

TABLE 2.114.1 PUBLIC BENEFIT RATING SYSTEM		
	Categories	Point System
Priority Resource	<u>High Priority</u> <ul style="list-style-type: none"> • Critical Salmon Habitat • Fish and Wildlife Habitat Conservation Areas • Marine Waters • Streams • Wetlands, Estuaries, and Tidal-Marshes • Wooded Areas 	5 points each
	<u>Medium Priority</u> <ul style="list-style-type: none"> • Agricultural Lands • Aquifer Recharge Areas • Flood Hazard Areas • Lakes • Private Open Space Passive Recreation • Privately Owned and Operated Recreational Facilities • Private Trails and Corridors 	3 points each
	<u>Low Priority</u> <ul style="list-style-type: none"> • Archaeological Sites • Historic Landmark Sites • Landslide Hazard Areas (Steep Slopes) • Private Parks and Private Golf Courses with Developed Facilities • Scenic View Points and Corridors • Seismic Hazard Areas • Volcanic Hazard Areas 	1 point each
Bonus	Public Access Granted	5 points
	Conservation/Historic Easement Granted in Perpetuity (forever)	10 points
	Site Within a Designated Urban Growth Area (UGA) or the Comprehensive Urban Growth Area (CUGA)	5 points
	Site is Adjacent to (abuts) or Creates Linkage With Another Open Space Parcel	5 points
Super Bonus	Properties with at least five priority resource points and which allow a degree of public access appropriate to the sensitivity of the resource(s) and which provide a qualifying conservation or historic easement in perpetuity.	25 points

(Ord. 2004-112s § 2 (part), 2004; Ord. 98-114S § 3 (part), 1999)

Appendix "B"

TABLE 2.114-2 VALUE REDUCTION AND CURRENT USE ASSESSMENT VALUATION SCHEDULE TABLE			
True and Fair Market Value	Percent Value Reduction	Current Use Assessment	Point System
100%	0%	100%	0 - 2 points
100%	20%	80%	3 points
100%	30%	70%	6 points
100%	40%	60%	9 points
100%	50%	50%	12 points
100%	60%	40%	15 points
100%	70%	30%	18 points
100%	80%	20%	20 points
100%	90%	10%	25 points or more

(Ord. 98-114S § 3 (part), 1999)